



BYLAW NO. 23-951 of the Municipal District of Greenview No. 16

A Bylaw of the Municipal District of Greenview No. 16, in the Province of Alberta, relating to the Licensing and Regulation of Businesses, in the Municipal District of Greenview No. 16.

WHEREAS, pursuant to Section 8 of the *Municipal Government Act*, R.S.A 2000, c.M26, and all amendments thereto, the Council of the Municipal District of Greenview No. 16. may enact bylaws to control and regulate all businesses, business activities, and persons engaged in a business carried on within the Municipal District of Greenview No. 16. including the manner of operation, the nature of the operation and the location thereof, and may license any or all such businesses or industries whether or not the business has a business premise within the municipality;

WHEREAS, the Municipal District of Greenview No. 16. may enact bylaws respecting the safety, health and welfare of people and the protection of people and property;

WHEREAS, the Municipal District of Greenview No. 16. may enact bylaws respecting the enforcement of bylaws made under the *Municipal Government Act*;

THEREFORE, the Council of the Municipal District of Greenview. No. 16 duly assembled enacts as follows:

1. TITLE

1.1. This bylaw shall be cited as the “Business Licensing Bylaw.”

2. DEFINITIONS

2.1. **Act** means the *Municipal Government Act*, R.S.A 2000, c.M26, and all amendments thereto.

2.2. **Applicant** means a Person who applies for a license under the provisions of this Bylaw.

2.3. **Business** means:

- A) a commercial, merchandising, or industrial activity or undertaking;
- B) a profession, trade, occupation, calling, or employment; or
- C) an activity providing goods and services, organized or formed, including a cooperative or association of Persons.

2.4. **Business License** means a license to be issued, pursuant to this Bylaw, for the purpose of licensing any business operating within Greenview, entitling the licensee to carry on the specified activity.

2.5. **Business Location** means the premises used or occupied, as indicated on the approved development permit, by any Person in the conduct of business.

- 2.6. **Bylaw Enforcement Officer** means a Community Peace Officer for the Municipal District of Greenview No. 16.
- 2.7. **CAO** means the Chief Administrative Officer for the Municipal District of Greenview No. 16, appointed by Council or delegate.
- 2.8. **Charitable or Non-Profit Organization** means any Person, association, or corporation engaged entirely in charitable activities or engaged in the promotion of general social welfare within Greenview, as defined by Revenue Canada under the *Income Tax Act* and/or has a valid Revenue Canada Registered Charity Number.
- 2.9. **Council** means the Municipal Council for the Municipal District of Greenview No. 16, in the Province of Alberta, as elected and defined by the Act.
- 2.10. **Development Permit** means a document authorizing a development issued pursuant to Greenview's Land Use Bylaw.
- 2.11. **Greenview** means the Municipal District of Greenview No. 16.
- 2.12. **Hamlet** means an unincorporated community within the boundaries of Greenview, designated as a hamlet pursuant to section 59 of the Act and in accordance with Greenview Policy. See Schedule B.
- 2.13. **Hawker or Peddler** means any Person who, whether as principal or agent:
- A) Goes from house to house selling or offering for sale any merchandise or service, or both, to any Person and who is not a wholesale or retail dealer in that merchandise or service;
 - B) Offers or exposes for sale to any person by means of samples, patterns, cuts, or blueprints, merchandise or a service, or both, to be afterwards delivered in and shipped into the municipality to the customer;
 - C) Sells merchandise or service, or both, on the streets or roads or elsewhere other than at a building that is a permanent place of business for that business; or
 - D) Does not have a permanent place of business in the municipality.
- 2.14. **Home Occupation** means a business carried on as a secondary use of a dwelling unit and/or its accessory buildings by at least one of the permanent residents of such dwelling.
- 2.15. **Land Use Bylaw** means Greenview's Land Use Bylaw(s).
- 2.16. **Licensee** means a Person to whom a license has been issued, pursuant to the provisions of this Bylaw.
- 2.17. **Mobile Vendor** means any Person selling goods, food, services, or amusements from a mobile motor vehicle trailer or similar structure that is designed for offering the sale of goods, food, or services.

- 2.18. **Non-Resident Business** means any business that does not ordinarily locate or maintain a permanent place of business within Greenview.
- 2.19. **Order** means a document alleging an offence of a Municipal bylaw allowing for payment of the specified amount for the issuance of a Business License.
- 2.20. **Person** means and includes any Person, firm, partnership, corporate body, or association.
- 2.21. **Resident Business** means any business which ordinarily locates or maintains a permanent place of business within Greenview.
- 2.22. **Temporary Business** means any commercial or industrial business activity; a profession, trade, occupation; or an activity providing goods or services for a period not exceeding four (4) consecutive months.
- 2.23. **Valid Complaint** means a complaint received by Greenview in writing and must include the name, address, and phone number of the complainant, and the legal location of the complaint site.
- 2.24. **Violation Ticket** means as defined in the Provincial Offences Procedure Act, R.S.A. 2000, Chapter P-34, as amended.
- 2.25. **Youth** means any Person under the age of 18 years, in the Province of Alberta.

3. LICENSE ELIGIBILITY

- 3.1. This Bylaw shall apply to any business or occupation within a Hamlet, as indicated in Schedule B, with the intent of making a profit.
- 3.2. No business shall operate within a Hamlet unless in compliance with all applicable Federal, Provincial or Municipal statutes, regulations, or Bylaws.
- 3.3. A separate Business License is required for each Business Location.
- 3.4. Any Person who operates more than one business, whether on the same premises or separate premises, is required to have a separate Business License for each business.
- 3.5. Any business requiring any other permit(s) related to ensuring the eligibility of the proposed Business Location, which shall include but not be limited to a Development Permit under the Land Use Bylaw, must obtain these permit(s) prior to the issuance of a Business License.

4. EXEMPTIONS

- 4.1. The following Persons are not required to obtain a Business License; however, it is encouraged for the purpose of documentation within Greenview:
- A) Any business whose primary location is outside of a Hamlet boundary, see Schedule B;
 - B) Agricultural operations not requiring a Development Permit under the Land Use Bylaw;
 - C) Farmers or businesses carrying on activities at a Farmer's Market registered with the Farmer's Market Association;
 - D) Non-resident businesses whose only business activity is:
 - i. The supply or delivery of wholesale or bulk goods to a resident business; or
 - ii. Delivery of materials or goods provided that the transaction and/or negotiation to purchase those items takes place outside Greenview.
 - E) Any Person or professional whose practice is governed by a federal or provincial body, including but not limited to:
 - i. Medical Doctors;
 - ii. Dentists;
 - iii. Registered Accountants;
 - iv. Barristers and Solicitors;
 - v. Land Surveyors or Engineers;
 - vi. Insurance Agents or Adjustors;
 - vii. Continuing Care Provider or Operator.
 - F) A day home service provider that is registered with a provincially approved Day Home Agency;
 - G) A business exhibiting at a trade show or exhibition held in Greenview for a consecutive period not exceeding seven (7) days;
 - H) Any Person or Youth providing occasional light duty, such as newspaper deliveries, babysitting, light yard work, etc.;
 - I) Any other businesses that are excluded from the requirements of the Bylaw by an Act or Provincial Statute;
 - J) Regional Commissions, Intermunicipal Services Agencies, or businesses carried on by the Municipal, Provincial, or Federal Government; and
 - K) Any other business exempted through or by order of Council.

5. PROCEDURE FOR ISSUANCE OF LICENSE

5.1. Application

- A) An application must be submitted for:
 - i. A new Business License;
 - ii. Amendment to an existing business license, including a change in the business name, business location, or a change to the nature of the business; and
 - iii. A transfer of a Business License to another Person.
- B) Persons may make an application to Greenview on the appropriate license application form and provide any additional documentation as required by Greenview.
- C) The registered property owner's signature is required on the application if the applicant is not the property owner.
- D) The applicable fee shall accompany all Business License applications in accordance with the Schedule of Fees Bylaw.

5.2. Issuance

A) Greenvview shall:

- i. Receive, consider, and decide upon all applications;
- ii. create and maintain a Business License database; and
- iii. Inform the applicant of the necessary Development Permit requirements.

B) Greenvview reserves the right to refuse any application for a Business License at its sole discretion.

6. **HAWKERS, PEDDLERS, & MOBILE VENDORS**

6.1. No Person shall commence, carry on, or engage in the business of a Hawker, Peddler, or Mobile Vendor on public or private property within a Hamlet unless and until such Person is the holder of a Hawker, Peddler, or Mobile Vendor License.

6.2. Hawkers, Peddlers, and Mobile Vendors shall apply in the same manner as stated in Section 5.1.

6.3. Resident Businesses operating as Hawker, Peddlers, or Mobile Vendors that hold a valid Greenvview Business License will be exempt from fees but must meet the other requirements of this section.

6.4. Operations of Hawkers, Peddlers and Mobile Vendors shall be restricted to privately or publicly owned properties designated as Commercial, Industrial, or Recreational under the Land Use Bylaw.

6.5. No Person shall commence, or carry on or engage in, the business of a Hawker, Peddler, or Mobile Vendor on a property unless or until they provide written consent by the owner of that property for the business to be conducted on that property.

6.6. Mobile Vendors shall not operate on any public roadway or road rights-of-way except where permitted.

6.7. Hawkers, Peddlers, and Mobile Vendors shall conduct and locate their business in a manner and location which causes minimal disturbance to the normal operations of the property and surrounding roadways.

6.8. Hawkers, Peddlers or Mobile Vendors shall not call upon residents before 9:00 a.m. and after 8:00 p.m.

6.9. No Hawker, Peddler or Mobile Vendor shall sell goods, foods, amusements, or services within thirty (30) meters of a commercial retail storefront which sells similar goods, foods, amusements, or services.

6.10. No License shall be issued to a Hawker, Peddler or Mobile Vendor of foodstuffs, fruits, and/or vegetables unless or until they obtain the appropriate permits, licenses, or certificates, as required by Alberta Health Services.

- 6.11. Mobile Vending Units operating on Greenview-owned property must indemnify and save harmless the Municipal District of Greenview No. 16, its employees, and agents, from and against all claims, expenses, actions, losses, costs, and suits caused by or arising out of, directly or indirectly, the performance of the License, or by reason of any matter or thing done by or not done by the Mobile Vendor, its employees or agents. Mobile Vendors are required to show proof of liability insurance in the amount of two million dollars (\$2,000,000), upon final approval of their application.
- 6.12. Mobile Vendors shall assume all responsibility for themselves, their employees, or anyone otherwise authorized to sell goods or products at the vending location and ensure compliance with the terms and conditions of their License approval.

7. SPECIAL PROVISIONS

7.1. Temporary Businesses:

- A) May apply in the same manner as stated in Section 5.1;
- B) A Temporary Business License shall permit the business to operate for a term of four (4) consecutive months or less;
- C) If a Temporary Business continues operation beyond the permitted term, they shall apply for a permanent Business License.

7.2. Greenview reserves the right to refuse any application for Temporary Business License at its sole discretion.

8. FEES

8.1. Any business located or operating within a Hamlet, unless exempted under the provisions of this Bylaw, is subject to fees in accordance with the Schedule of Fees Bylaw.

8.2. The appropriate fee shall accompany each application for a Business License as per the Schedule of Fees Bylaw.

8.3. Fees will be non-refundable.

9. VALIDITY OF BUSINESS LICENSE

9.1. Any change in the business ownership, scope of operations or location without written notification to Greenview will render the Business License invalid.

9.2. A Business License issued under the provisions of this Bylaw, unless renewed, shall terminate at midnight on the 31st day of December of the year in which the Business License was issued unless otherwise stated on the Business License.

9.3. A Business License shall be granted once the Business License fee has been paid and all relevant permitting requirements have been satisfactorily completed.

9.4. A Business License is only valid once it has been signed by Greenview.

9.5. Greenview may revoke or refuse a Business License if:

- A) The applicable permits in accordance with the Land Use Bylaw have not been obtained for the business or business premises;
- B) The Licensee has failed to pay the annual or other applicable fees before the stated due date(s);
- C) When a Business License is revoked or suspended, the business owner shall be notified in writing; and
- D) Any business that continues to operate following the revocation of a Business License will be subject to fines in accordance with Schedule “A” of this Bylaw.

10. COMPLIANCE & PENALTIES

- 10.1. Any business that contravenes any provision of this Bylaw by operating a business in a Hamlet without a Business License fails to comply with any terms or conditions of a Business License issued pursuant to this Bylaw or otherwise contravenes any provision of this Bylaw is guilty of an offence and liable on summary conviction:
- A) For the first offence, a fine not less than the amount stated in Schedule “A” plus the applicable Business License fee;
 - B) For the second or subsequent offence within a 12-month period, the amount stated in “Schedule A” plus the applicable Business License Fee.
- 10.2. A Bylaw Enforcement Officer is hereby authorized to issue an Order to any Person the Bylaw Enforcement Officer believes, on reasonable and probable grounds, is in contravention of any provisions of this Bylaw in accordance with subsection 564 of the Act.
- 10.3. If the penalty specified on the Order is not paid within the prescribed time period, then a Bylaw Enforcement Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to the *Provincial Offences Procedure Act*.

11. APPEALS

- 11.1. The applicant may appeal to Council in every case where:
- A) An application for a license has been refused; or
 - B) A license has been revoked.
- 11.2. An appeal may be made in writing and addressed to Council within twenty-one (21) days following refusal or revocation. Council will then decide on the specific case and appeal within twenty-eight (28) days.

12. SEVERABILITY

- 12.1. Each provision of this Bylaw is independent of all other provisions. If any such provision is declared invalid by a competent jurisdiction court, all other Bylaw provisions will remain valid and enforceable.

13. REPEAL AND REPLACE

- 13.1. This Bylaw repeals and replaces Bylaw 00-324 and the former “New Town of Grande Cache Licensing of Hawkers and Pedlars By-law No. 41.”

14. This Bylaw shall come into force and effect upon the day of final reading.

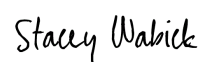
Read a first time this 22nd day of August, 2023.

Read a second time this 26th day of September, 2023.

Read a third time and passed this 14th day of November, 2023.



REEVE



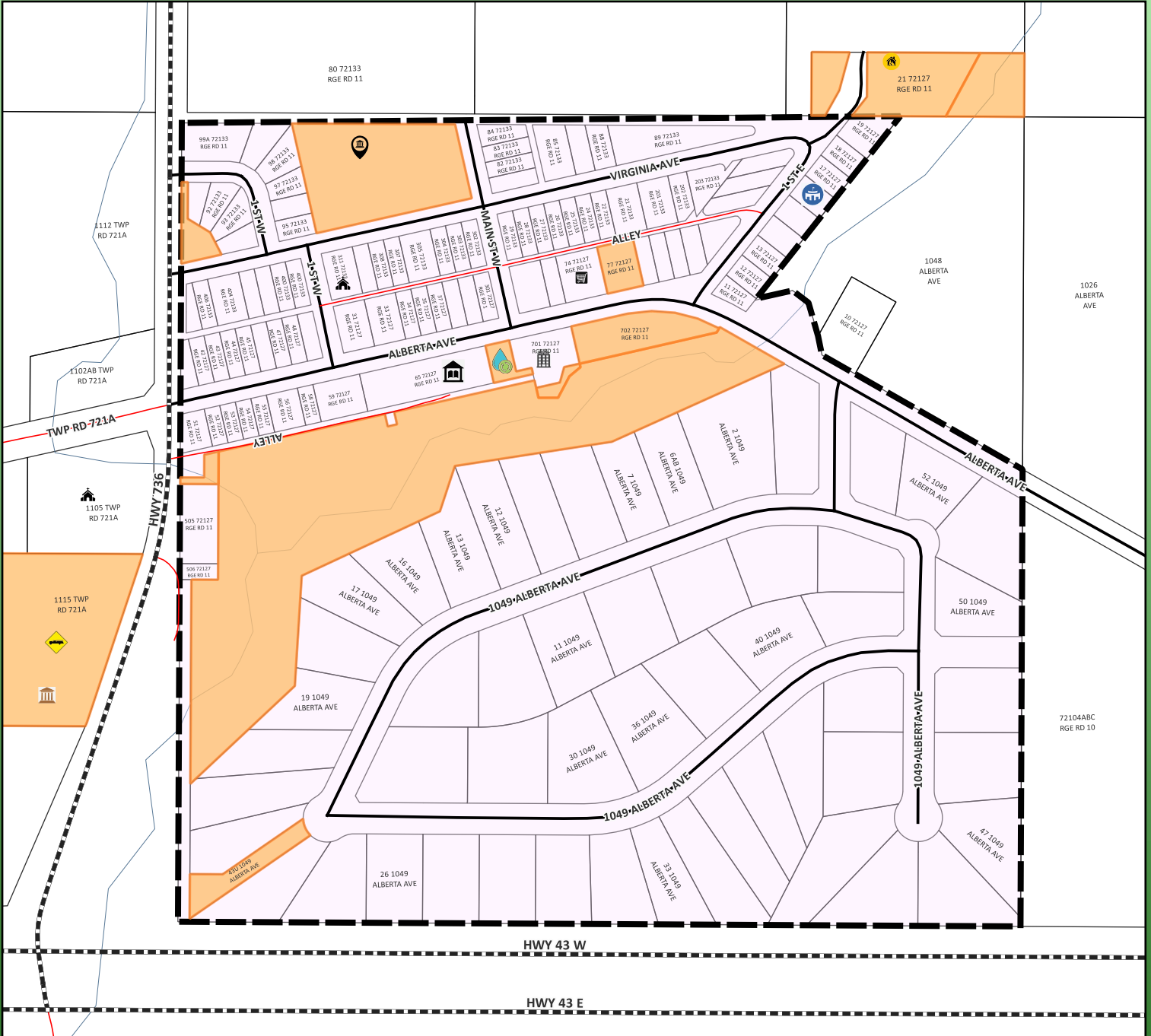
CHIEF ADMINISTRATIVE OFFICER

SCHEDULE “A”

BYLAW SECTION	OFFENCE	FINE
Section 3 License Eligibility Section 9 Validity of a Business License Section 10 Compliance & Penalties	First Offence	\$200
Section 3 License Eligibility Section 9 Validity of a Business License Section 10 Compliance & Penalties	Second and Subsequent Offences	\$500



SCHEDULE "B" DEBOLT MUNICIPAL DISTRICT OF GREENVIEW NO. 16



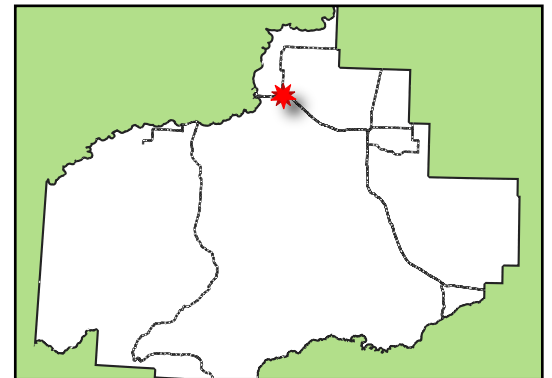
MAP POINTS

- Church
- Community Hall
- Fire Hall
- Hotel/Motel
- Museum
- Water Treatment Plant
- Library

LEGEND

- Retail Business
- TRANSPORTATIONS**
- Highway
- Gravel Road
- Paved Road
- Walking Trail
- LAND CLASSIFICATIONS**
- Provincial Park

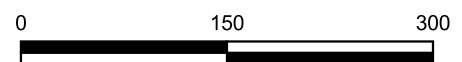
- Titled Land
- Hamlet Boundaries
- MD Boundary
- Municipal Property
- HYDRO FEATURES**
- Lake/River
- Stream/Creek



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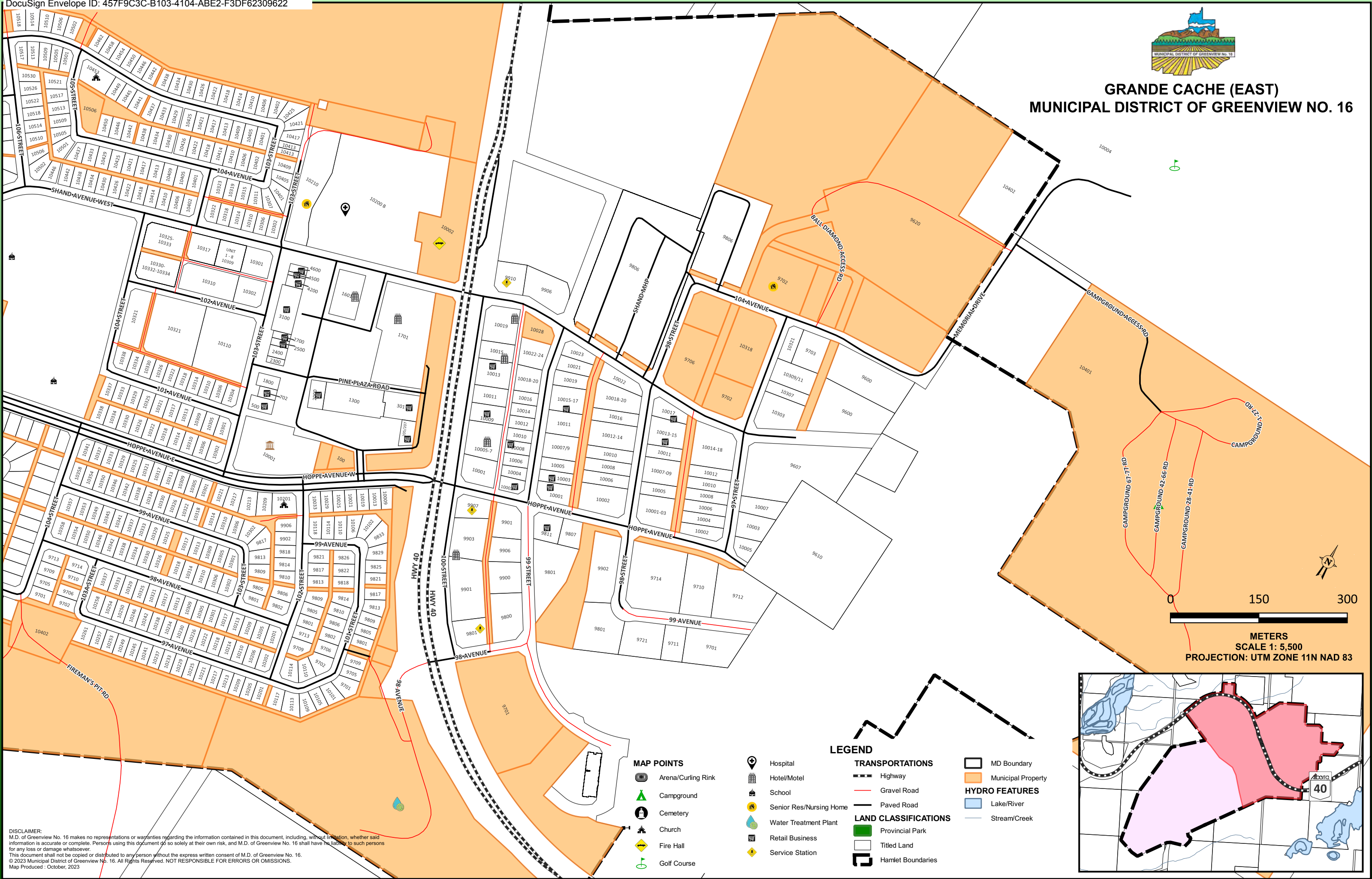
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METERS
SCALE 1: 5,000
PROJECTION: UTM ZONE 11N NAD 83



GRANDE CACHE (EAST) MUNICIPAL DISTRICT OF GREENVIEW NO. 16



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- MAP POINTS**

 - Hospital
 - Hotel/Motel
 - School
 - Senior Res/Nursing Home
 - Water Treatment Plant
 - Retail Business
 - Service Station
 - Cemetery
 - Church
 - Fire Hall
 - Golf Course
 - Arena/Curling Rink
 - Campground
- LEGEND**

TRANSPORTATIONS

 - Highway
 - Gravel Road
 - Paved Road

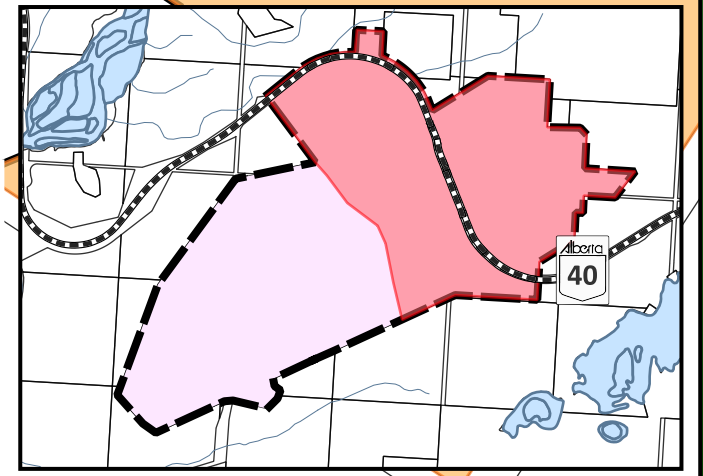
LAND CLASSIFICATIONS

 - Provincial Park
 - Titled Land
 - Hamlet Boundaries
- MD Boundary

Municipal Property

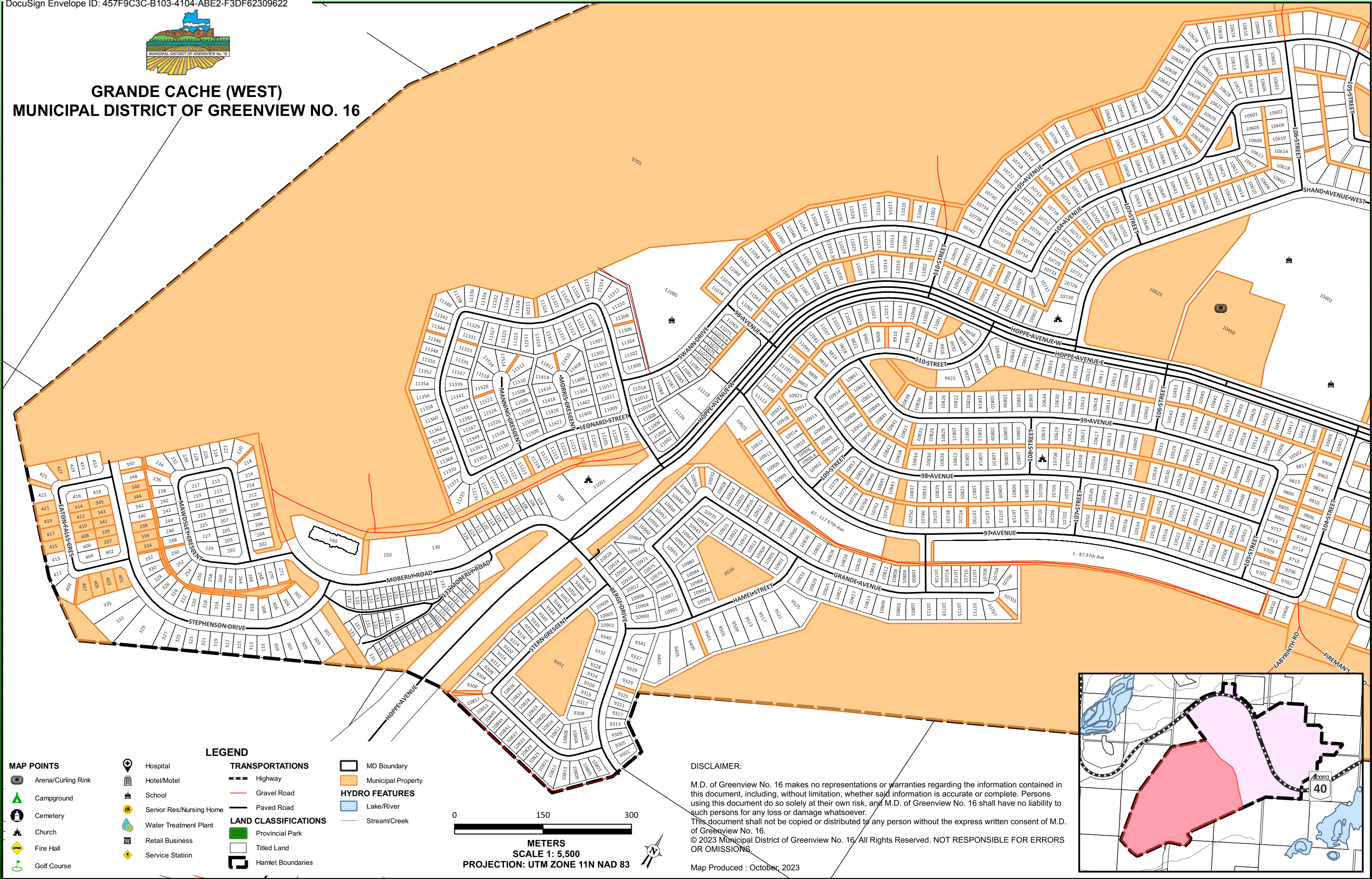
HYDRO FEATURES

 - Lake/River
 - Stream/Creek





GRANDE CACHE (WEST) MUNICIPAL DISTRICT OF GREENVIEW NO. 16



MAP POINTS

- Hospital
- Hotel/Motel
- School
- Senior Res/Nursing Home
- Water Treatment Plant
- Retail Business
- Service Station
- Arena/Curling Rink
- Campground
- Cemetery
- Church
- Fire Hall
- Golf Course

TRANSPORTATIONS

- Highway
- Gravel Road
- Paved Road

HYDRO FEATURES

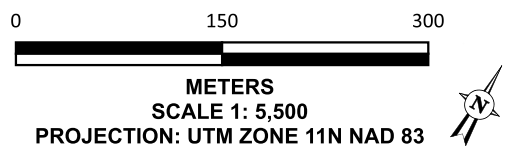
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- Stream/Creek

LAND CLASSIFICATIONS

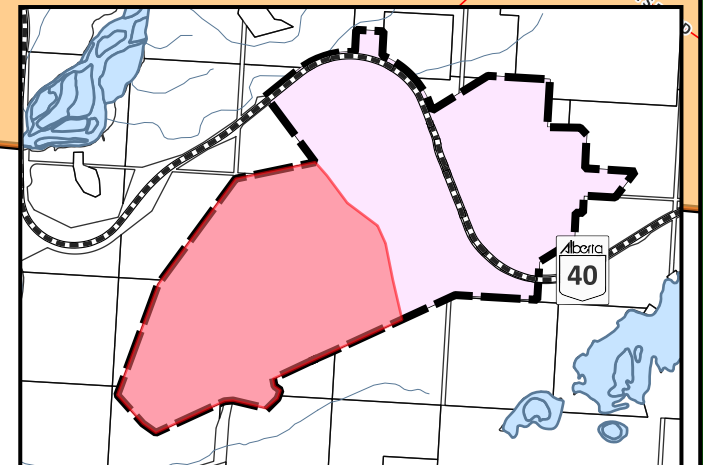
- Provincial Park
- Titled Land
- Hamlet Boundaries

LEGEND

- MD Boundary
- Municipal Property

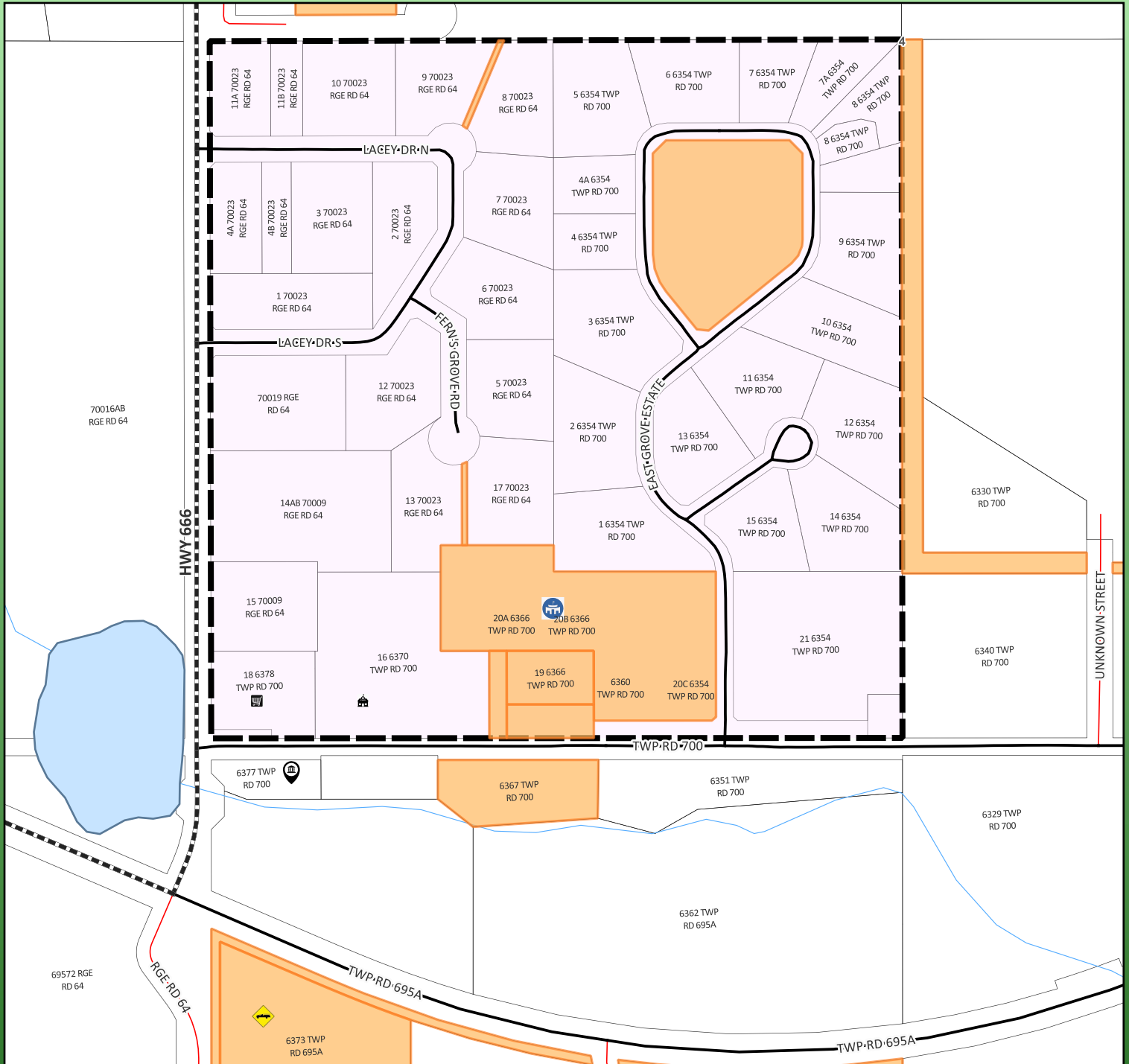


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GROVEDALE MUNICIPAL DISTRICT OF GREENVIEW NO. 16



LEGEND

MAP POINTS

- Community Hall
- Fire Hall / PSB
- Museum
- School
- Retail Business

TRANSPORTATIONS

- Highway
- Gravel Road
- Paved Road

LAND CLASSIFICATIONS

- Titled Land
- Hamlet Boundaries

- MD Boundary

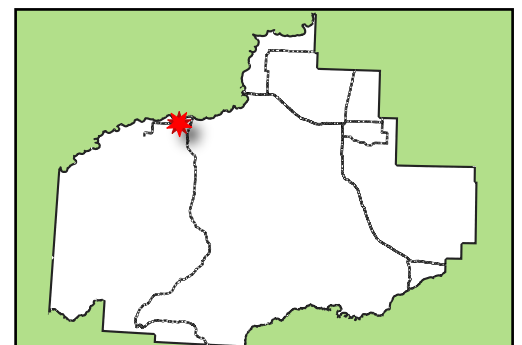
- Municipal Property

HYDRO FEATURES

- Lake/River
- Stream/Creek

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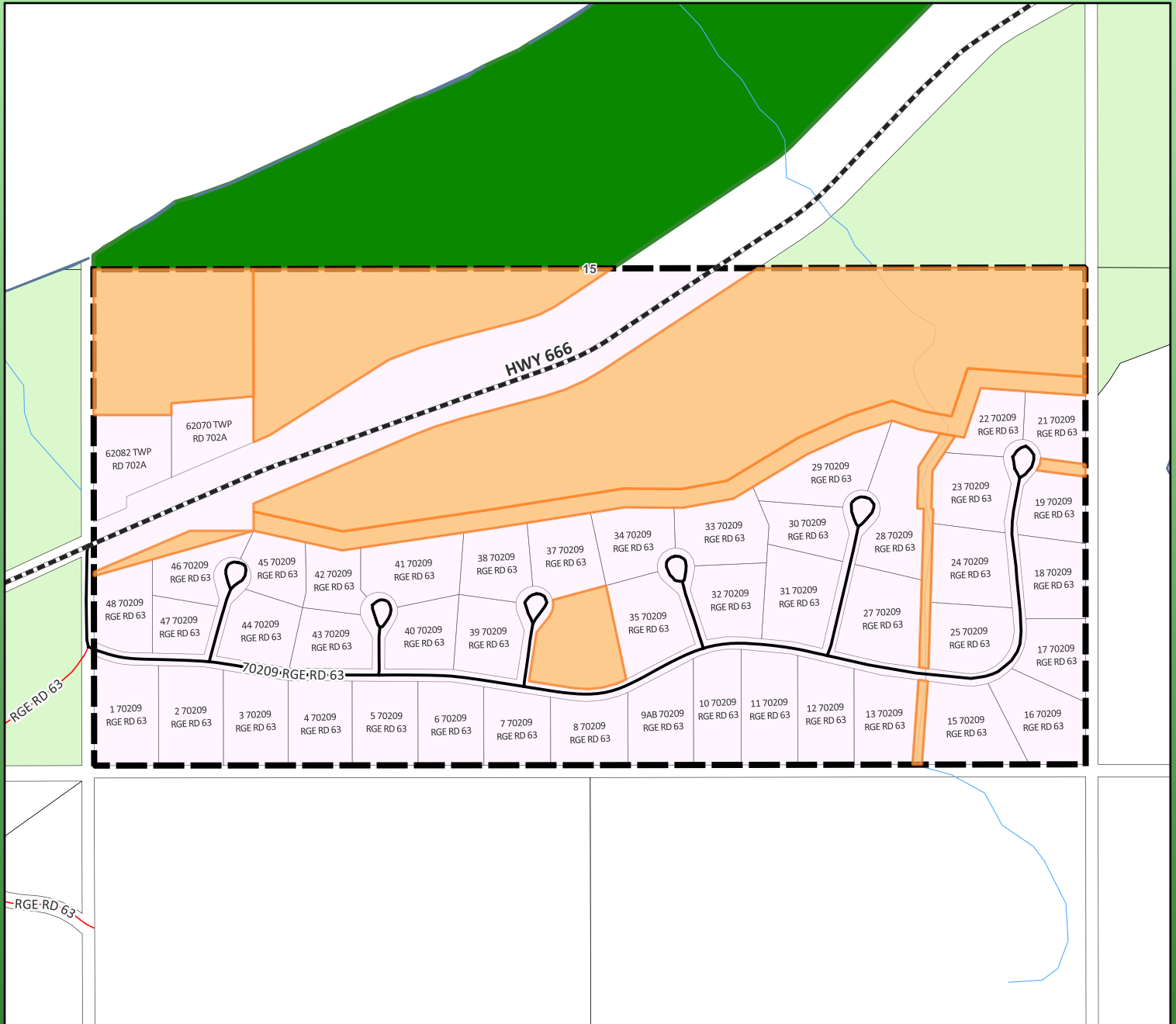


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METERS
SCALE 1: 6,500
PROJECTION: UTM ZONE 11N NAD 83



LANDRY HEIGHTS MUNICIPAL DISTRICT OF GREENVIEW NO. 16



TRANSPORTATIONS

- Highway
- Gravel Road
- Paved Road

LAND CLASSIFICATIONS

- Provincial Park

LEGEND

- Titled Land
- Hamlet Boundaries
- MD Boundary
- Municipal Property

HYDRO FEATURES

- Lake/River

- Stream/Creek

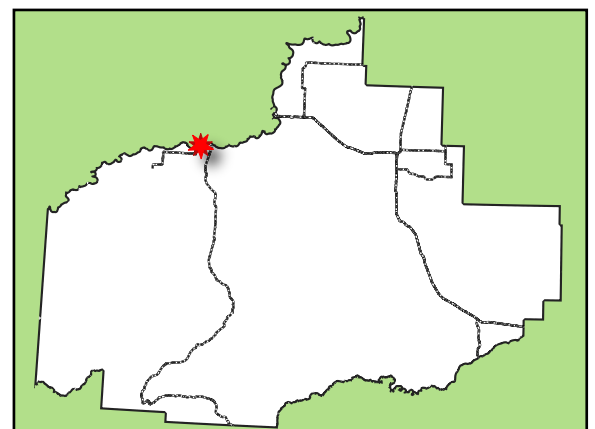
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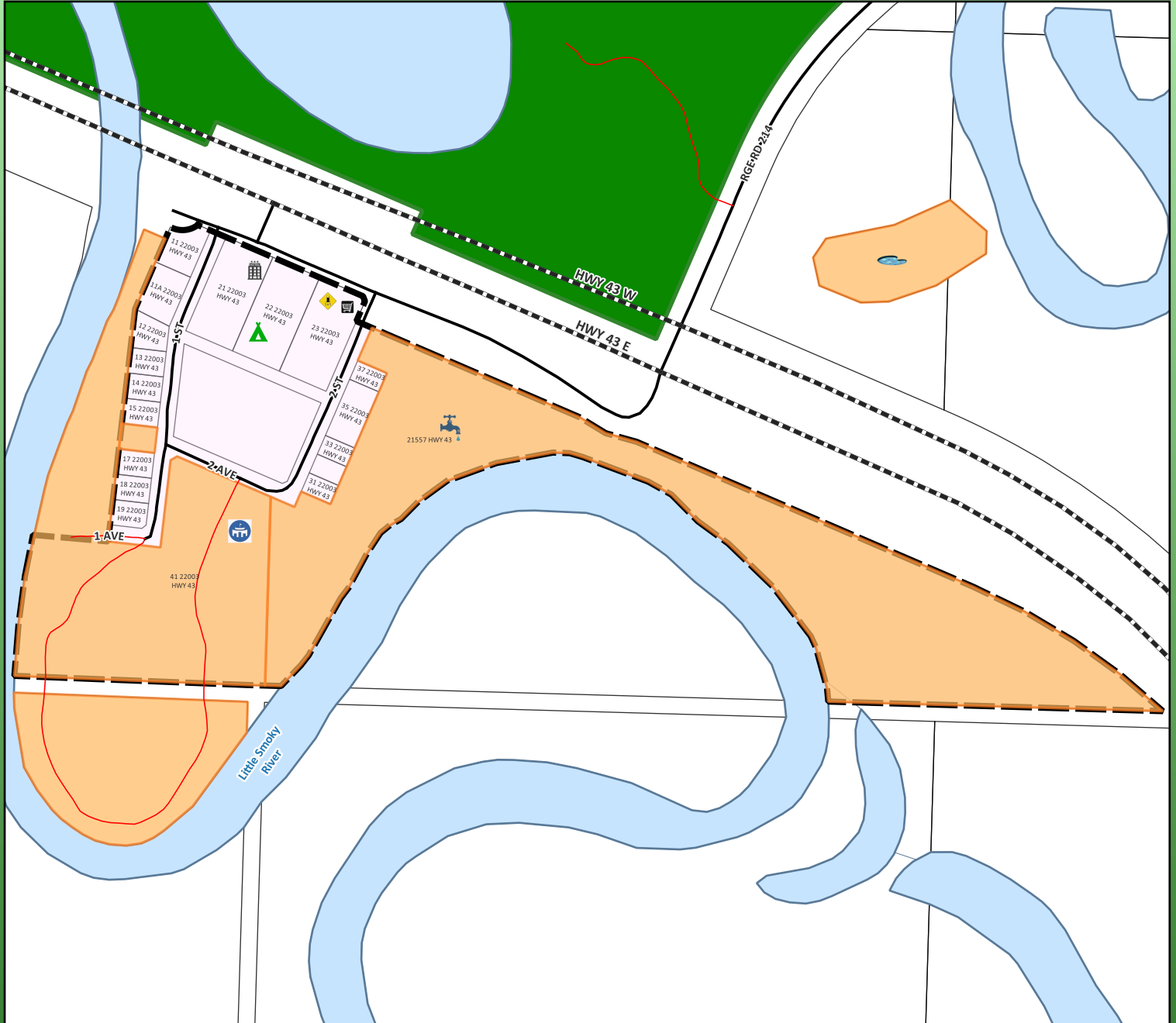
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METERS
SCALE 1: 9,000
PROJECTION: UTM ZONE 11N NAD 83



LITTLE SMOKY MUNICIPAL DISTRICT OF GREENVIEW NO. 16



MAP POINTS

- Campground
- Community Hall
- Hotel/Motel
- Water Fill Station
- Retail Business
- Service Station

LEGEND

- Sewage Lagoon

TRANSPORTATIONS

- Highway
- Fair-Weather Road
- Gravel Road
- Paved Road

LAND CLASSIFICATIONS

- Hamlet Boundary

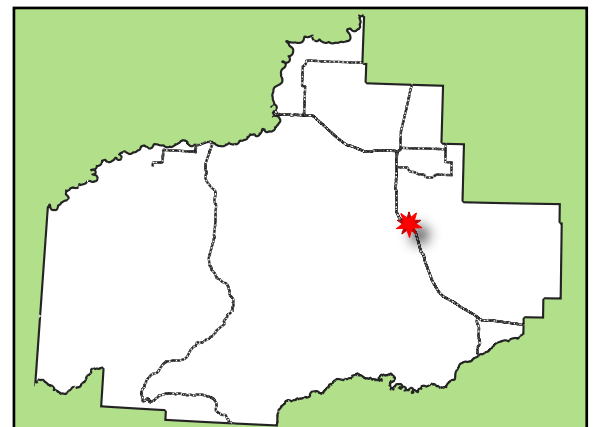
- Provincial Park

- Titled Land

- MD Boundary

HYDRO FEATURES

- Lake/River
- Stream/Creek



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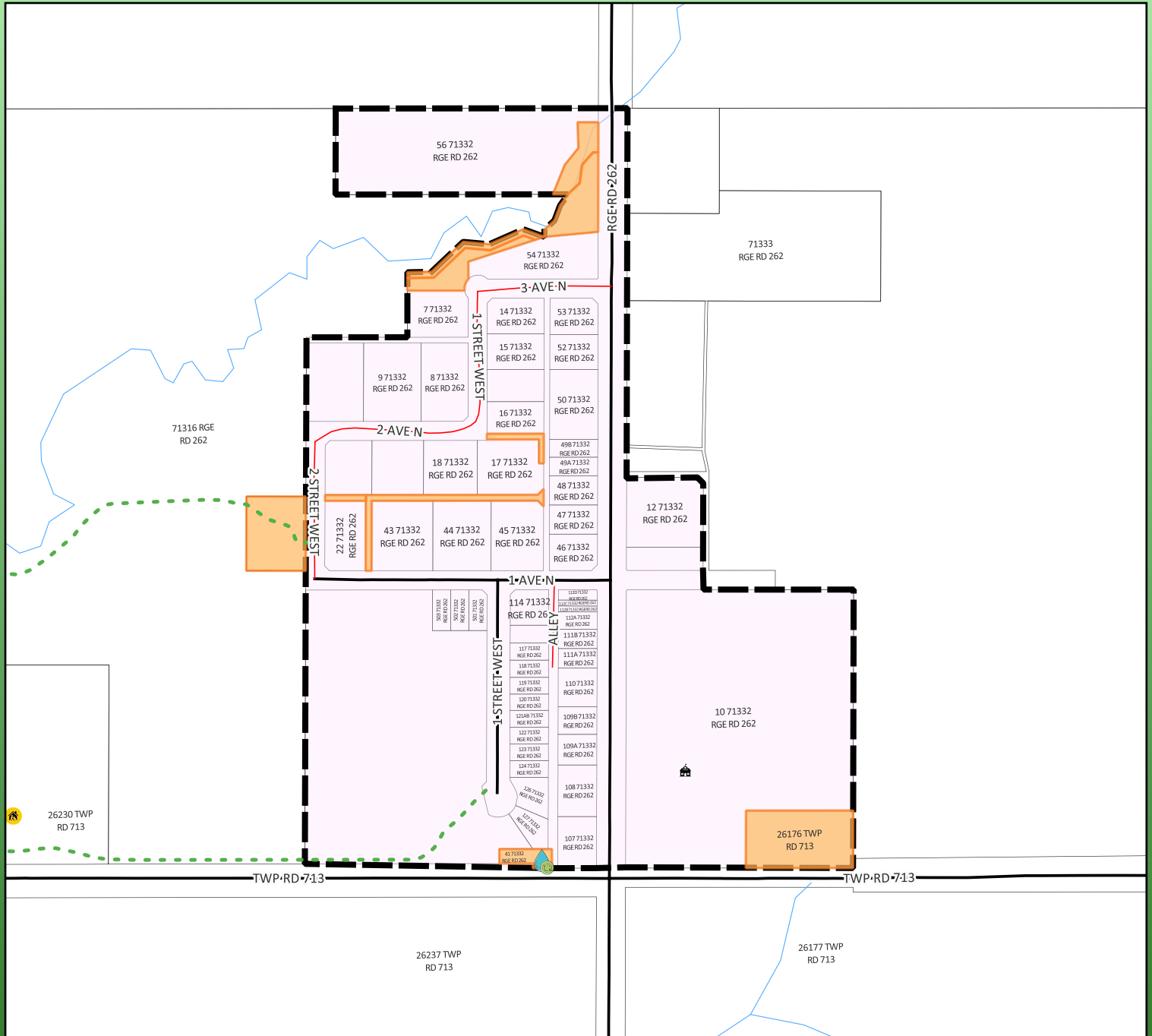
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METERS
SCALE 1: 6,500
PROJECTION: UTM ZONE 11N NAD 83



RIDGEVALLEY MUNICIPAL DISTRICT OF GREENVIEW NO. 16



MAP POINTS

- School
- Senior Res/Nursing Home
- Water Treatment Plant

TRANSPORTATIONS

- Highway

LEGEND

- Gravel Road
- Paved Road
- Walking Trail

LAND CLASSIFICATIONS

- Titled Land
- Hamlet Boundaries

- MD Boundary

- Municipal Property

HYDRO FEATURES

- Lake/River
- Stream/Creek

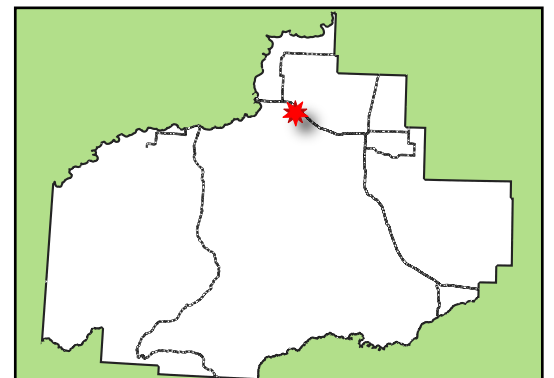
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